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JUN 2 3 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Attorney Docket No.

Kim B. Roberts et al.

9-13528-152US

Serial No:

Group Art Unit: 2633

Filed:

10/15/2001

Examiner:

Nathan M. CURS

For:

Measurement of Polarization Dependent Loss in an Optical Transmission System

Assistant Commissioner for Patents Washington, D.C. 20231

BOX - NON-FEE AMENDMENT/RESPONSE

Sir:

AMENDMENT UNDER 37 C.F.R § 1.111

In response to the Office Action mailed December 20, 2004, the one month extended period for response being April 20, 2005, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Adjustment date: 08/09/2006 SDIRETA1 06/24/2005 CCHAU1 00000066 195113 09975895 01 FC:1251 120.00 CR

14/2005 CCHAU1 00000066 195113 09975895

C:1251

120.00 DA

08/09/2006 SDIRETA1 00000010 195113 09975985

01 FC:1251

120.00 DA

PAGE 8/19 * RCVD AT 6/23/2005 3:31:53 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/5 * DNIS:3729306 * CSID:613 230 6706 * DURATION (mm-ss):06-04

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08/23/2005 15:30 FAX 813 230 6706

OGILVY RENAULT

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Our File:

9-13528-152US KD/hb

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Number of pages including cover letter:

19

Date:

June 23, 2005

From:

Kent Daniels

Telephone:

(613) 780-86873

E-mail:

kdaniels@ogilvyrenault.com

TPV CENTER OF THE STATE OF THE	Company D/E-11/2		
ART UNIT 2633 Examiner:	United States Patent Office Facsimile Centre	Alexandria, VA	1.703.872-9306
Nathan M. CURS			

Re:

Serial No.

09/975,895

Inventor(s):

Kim B. ROBERTS et al.

Title:

MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN

OPTICAL TRANSMISSION SYSTEM

Further to my telephone conversation with Examiner Nathan CURS of today's date, please find attached a complete copy of our Response to the Office Action dated December 20, 2004.

This response was filed on April 18, 2005, as confirmed by the Auto-Reply Facsimile Transmission (copy enclosed).

We trust that the above is satisfactory and the response date remains April 18, 2005.

Heather Brown for Kent Daniels Patent and Trademark Assistant **Ogilvy Renault** (613) 780-3769 hbrown@ogilvyrenault.com

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JUN 2 9 2005

Barristers and Solicitors Patent and Trado-Mark Agents

45 O'Connor Surces Suite 1700 Otsawa, Ossario Canada KJP 1A

Telephone (613) 230-6072 Fax (613) 230-6706



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Our File:

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Number of pages including cover letter:

13

Date:

April 18, 2005

From:

Kent Daniels

Telephone:

(613) 780-86873

E-mail:

kdaniels@ogilvyrenault.com

ART UNIT 2633 Examiner:	United States Patent Office Facsimile Centre	Alexandria, VA	1.703.872-9306
Nathan M. CURS			

Re:

Serial No.

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Title:

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OPTICAL TRANSMISSION SYSTEM

This is further to our earlier facsimile transmission of today's date forwarding our Response to the Office Action of December 20, 2004.

It has come to our attention that the Response was not signed, therefore please find attached a <u>signed</u> copy of the Response.

Heather Brown

Assistant to Kent Daniels, Patent Agent

Ogilvy Renault (613) 780-3769

hbrown@ogilvyrenault.com

ogilvyrenanh.com

· OGILVY RENAULT OGILVY RENAULT

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Telephone:

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ART UNIT 2633 Examiner:	United States Patent Office Facsimile Centre	Alexandria, VA	1.703.872-9306
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PAGE 446 * RCVD AT 6/23/2005 3:28:54 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/8 * DNIS:8729306 * CSID:613 230 6706 * DURATION (mm-ss):02-24

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Firm Name	OGIL	VY RENAULT							
Signature		KI) ~~~	ş ,	d'i	_		•	
Printed name	Kent I	Daniels -	<u> </u>	<u> </u>	-, -		-		
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Signature		K		<u></u>	n, di				
Typed or printed n	ame	Kent Daniels	۷					Date	April 18, 2005

This collection of witemasion is impulsed by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to the (and by the LISPTO to process) an application. Confidentiatity is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 incurs to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the encount of time your explaints to enquire to enquire to reducing the brunkin, should be sent to the Chief Information Occurs, I.S. Patent and Tradamark Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED PORCES TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.

Deposit Account Statement

redrested Statement

Month:

Jun-05

Account

Number:

Name;

195113 UGILVY RENAULT

Attention:

DEBBIE SEARLE

COLLEGE

Address;

AVENUE MUNTREAL,

City:

CANADA

State: Zip:

Country:

H3A 2Y3 CANADA

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Deposit Account Statement

KOQUESTOD Statement Month: Jun-05 **LACTORIS** Account Number: 198119 **CRITAX** Name: RENAULT DEBBIE Attention: **SEARLE** COLLEGE Address: AVENUE MUNTREAL City: CANADA State: ZIp:

Zip: H3A 2Y9
Country: CANADA

POSTING ATTORNEY FEE REFTXT DOCKET CODE DATE **AGENT** NBR AMT CAN Jun-29 16603 KD 9975895 A-7485 1251 \$120.00 Jun-29 16603 KD \$160.80 9899265 9-13528-170US 1801 \$790,00 Jun-29 16598 MW \$1,058.60 10946016 16319-241US-1 1814 Jun-29 16601 IC \$130.00 \$174.20 11167305 12296-19US-1 1011 \$300.00 Jun-29 16601 IC \$402.00 11167305 12296-19US-1 1111 \$500.00 Jun-29 16602 SC \$670.00 10444952 2993-460US 1501 \$1,400.00 Jun-29 16601 IC \$1,878.00 11167305 12296-19US-1 1311 \$200.00 Jun-29 16602 SC \$268.00 10444952 2993-460US 1504 \$300.00 Jun-29 16602 SC \$402.00 10444952 2993-460US 8001 \$24.00 Jun-29 17062 CMB 10323898 17273-4US \$32.16 2501 \$700.00 Jun-29 17062 CMB \$938,00 10323896 17273-4US 1504 \$300.00 \$402.00 Jun-29 17170 DOP 60683339 17443-1USPR 1462 \$400.00 Jun-29 16601 IC \$536.00 10163623 12296-19US 1501 \$1,400.00 Jun-29 16601 IC \$1,876.00 10163623 12296-19US 1504 \$300.00 \$402.00 Jun-29 17170 DQP 60694247 17623-1USPR 2005 \$100.00 Jun-29 16235 JVZ \$134.00 60694237 14928-23USPR 1005 \$200.00 \$268.00 Jun-30 16419 TA 78657647 17608-1US 7001 -\$325.00 Jun-30 16598 PTN -\$435.60 60694696 17597-1USPR 2005 \$100.00 Jun-30 16601 IC \$134.00 60694695 15731-2USPR 2005 Jun-30 16603 KD \$100.00 \$134.00 11107725 16813-52US 1051 \$130.00 Jun-30 16603 KD \$174.20 11107726 16813-51US 1051 \$130.00 Jun-30 16607 JR \$174.20 11095663 2993-651US 8021 \$40.00 Jun-30 19560 MF \$53.60 6334591 11946-3US-1 1551 \$900.00 Jun-30 19560 MF \$1,206.00 5732719 12507-1US 2552 \$1,150.00 Jun-30 16607 JR \$1,541.00 11062737 15228-17US-1 8021 \$40.00 \$53.60

\$9,429.00 \$12,634.86

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Number of pages including cover letter:

5

Date:

June 13, 2006

From:

Kent Daniels

Telephone:

(613) 780-8673

E-mail:

kdaniels@ogilvyrenault.com

Facsimile Centre	Sampaix	Constant of		}
Facsimile Centre	United States Patent Office	Alexandria, VA	571-273-6500	

Re:

Serial No.

09/975,985

Inventor(s):

ROBERTS, Kim et al.

Title:

MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN

OPTICAL TRANSMISSION SYSTEM

Request for refund attached.

JUN 2 3 2005

PTO/SB/17 (12-04/2)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Presentatic Reduction Act of 1995 on or metion uniosa è dissiste a valid DMS control rumbo Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act. 2005 (M.R. 4918). Complete If Known Application Number 09/975,895 FEE TRANSMITTA Filing Date 10/15/2001 For FY 2005 First Named Inventor Kim B. Roberts Exeminer Name Nathan M. Curs Applicant ctaims small entity status. See 37 CFR 1.27 Art Unli 2633 TOTAL AMOUNT OF PAYMENT 120 Attorney Dockel No. 9-13528-152US METHOD OF PAYMENT (check all that apply) None L Credit Card L Money Order Other (please identify): Deposit Account Deposit Account Number; 19-5113 _ Deposit Account Name: Opilivy Renault For the above-Identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(a) Indicated below Chargo fee(s) indicated below, except for the filling fee Charge any additional fea(s) or underpayments of fae(s)

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit cord information should not be included on this form. Provide credit card information and authorization on 970-2038. FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEA SEARCH FEES **EXAMINATION FEES** Small Entity
Fee (8) Fee (8) Small Entity Small Emity Application Type <u>Fee (\$)</u> Fee (\$) Fees Paid (\$) Fee (3) Fea (S) 300 Utility 150 500 250 200 100 Design 200 100 100 50 130 65 Plant 200 100 300 160 80 150 Reissue 300 150 500 600 250 300 **Provisional** 200 100 0 0 0 2. EXCESS CLAIM FEES Small Entity Fee (8) Fee Description Fee (\$) Each claim over 20 (including Reissues) 50 25 Each independent claim over 3 (including Reissues) 200 100 Multiple dependent claims 360 120 Total Claims Edra Claims Fee Paid (S) Multiple Dependent Claims Fee (\$) _- 20 or HP = Fee (\$) Fee Paid (\$) HP = highest number of total claims peld for, if greater than 20. Indep. Claims Extra Claims Fee (3) Fee Pald (\$)

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Adjustment date: 08/09/2006 SDIRETA1 06/29/2005 SMINASSI 00000012 195113 09975895 01 FC:1251 120.00 CR

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NP = highest number of Independent claims paid for, if greater than 3.

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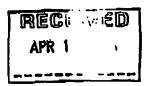
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OGILVY RENAULT	Facgimile Our File: 9-13528-152US	KD/hb
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Telephone	(\$13) 780 -86673	
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	United States Patent Office Alexand	Iria, VA 1.703.872-9106
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Tide: MEASO OPTICA This is further to our earlier to the Office Action of December.	ROBERTS es el RESIDENT OF POLARIZATION 1969 L'TRANSMISSION SYNTEM Eximils renemistos of ordry's due i	durázinteg our Rasponse to
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August 11, 2005

Via facsimile to (571) 273-6500

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 U.S.A.

Dear Sir:

Deposit Account No. 19-5113 and RE:

United States Patent Application 09/975,985

Title: MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN

OPTICAL TRANSMISSION SYSTEM

Inventors: ROBERTS, Kim et al. Our File: 9-13528-152US

A Response to the Office Action dated December 20, 2004 for the above-identified application was submitted to the USPTO on April 18, 2004. Unfortunately, there was a clerical error in the serial number in the documents submitted, including the fee transmittal form. The serial number on the documents, which read 09/975,895, should have read: 09/975,985.

As requested by Examiner Nathan Curs by telephone on June 23, 2005, a copy of the Response to the Office Action was re-submitted by facsimile to his attention.

It appears that, as a result of resubmitting the Response, the government fee of \$120.00 under code 1251 (one month extension for response) was charged to our deposit account (No. 19-5113) twice. We enclose a copy of our Deposit Account statements showing the withdrawals on June 24, 2005 and again on June 29, 2005. (Please note the correct serial number should read as

We therefore request a refund of \$120.00, the amount of overpayment. This amount can be credited to Deposit Account No. 19-5113.

We look forward to receipt of the refund.

Yours very truly

Kent Daniels - Reg. No. 44,206

Agent of Record

Encls.

Barristers & Solicitors, Patent Agents & Trade-mark Agents

Suite 1600 1981 McGill College Avenue Montreal, Quebec H3A 2Y3

Telephone (514) 847-4747 Fax (514) 288-8389

agilvyrenault.com



June 13, 2006

Via facsimile to (571) 273-6500

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 U.S.A.

Dear Sir:

Deposit Account No. 19-5113 and

United States Patent Application 09/975,985

Title: MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN

OPTICAL TRANSMISSION SYSTEM

Inventors:

ROBERTS, Kim et al...

Our File:

9-13528-152US

Further to our submission dated August 11, 2005 (copy attached), we have not yet received the requested refund of \$120.00, the amount of overpayment with respect to the government fee of \$120.00 under code 1251 (one month extension for response) which was charged to our deposit account (No. 19-5113) twice.

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Yours very truly

Kent Daniels - Reg. No. 44,206

Agent of Record

Encls.